

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

STEVEN WAYNE FOSTER	§	
VS.	§	CIVIL ACTION NO. 1:18-CV-340
JUDGE DELINDA GIBBS-WALKER	§	

MEMORANDUM ORDER OVERRULING OBJECTIONS AND
ADOPTING THE MAGISTRATE JUDGE’S REPORT AND RECOMMENDATION

Plaintiff, Steven Wayne Foster, a pretrial detainee confined at the Jasper County Jail, proceeding *pro se*, filed this civil rights action pursuant to 42 U.S.C. § 1983 against defendant DeLinda Gibbs-Walker.

The court referred this matter to the Honorable Zack Hawthorn United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The Magistrate Judge recommends plaintiff’s civil rights action be dismissed pursuant to 28 U.S.C. § 1915(e)(2)(B) for failure to state a claim and as frivolous.


The court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such order, along with the record, and pleading. Plaintiff filed objections to the Report and Recommendation of United States Magistrate Judge. This requires a *de novo* review of the objections in relation to the pleadings and applicable law. *See* FED. R. CIV. P. 72(b).

After careful consideration, the court finds plaintiff’s objections lacking in merit. Judges are entitled to absolute immunity. *Bauer v. Texas*, 341 F.3d 352, 357 (5th Cir. 2003) (“Judges enjoy absolute immunity from liability for judicial or adjudicatory acts.”) (citing *Forrester v. White*, 484 U.S. 219 (1988)).

ORDER

Accordingly, plaintiff's objections are **OVERRULED**. The findings of fact and conclusions of law of the Magistrate Judge are correct, and the report of the Magistrate Judge is **ADOPTED**. A final judgment will be entered in accordance with the recommendations of the Magistrate Judge.

SIGNED this the **2** day of **January, 2019**.



Thad Heartfield
United States District Judge